

- *Remarks* -

Allowable, amended Claim 4 and allowed Claims 11-27 are in the case, for a total of 19 claims,¹ three (4, 11 & 21) of which are independent claims. All other claims have been previously deleted or canceled herein, as noted above.

This amendment is thus designed to put the application in condition for full allowance and, as a result, there are no outstanding issues in the case.

However, it is noted for the record that it is still respectfully believed that the weight of the evidence previously filed in this case was sufficient to make the "103" rejection of the now canceled claims legally inappropriate, and the ignoring of the "use" limitations in the rejected method claims, including new uses of an assertedly old structure was not legally appropriate either (35 USC 101). However, in order to make those issues moot for contesting in another application and secure the issuance of this initial patent, the cancellation of the rejected claims was done without prejudice to filing further application(s) on the subject matters of the canceled claims.

Please charge any fees that may be due to the Deposit Account No. 16-2605/WillD2 of the undersigned, including the fee for the filing of the accompanying Petition to Revive, which follows this Response.

It is believed the application is now in condition for full allowance, and such action is respectfully requested.

¹ It is noted that a total of 27 claims had been in the case prior to this amendment and therefore there should be no excess claims fee.

Respectfully submitted:



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- Certificate of Mailing -

I hereby certify that this "Response After Final - Amendment 'B'" and its associated "Petition to Revive" (which follows this Response) are being sent by first class mail with proper postage in an envelope addressed to:

Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

on this **March 2, 2004.**



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